

Law Partnerships - General

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LAW PARTNERS - STUDENTS

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Abraham Lincoln's Law Partners and Students

Law Partnerships General

Excerpts from newspapers and other
sources

From the files of the
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LINCOLN'S OLD PARTNER DEAD

Hiram Beckwith Expires in Chicago
at the Age of 72.

1903

CHICAGO, Dec. 23.—Hiram W. Beckwith, a law partner of Abraham Lincoln from 1856 to 1861, is dead at St. Luke's hospital here at the age of 72. His father was one of the pioneers of the state and among the founders of Danville, in 1819. Hiram Beckwith became one of Lincoln's closest personal friends. From 1897 to 1902 Mr. Beckwith was president of the State Historical society of Illinois. He leaves a widow and two sons.

LINCOLN LORE

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LINCOLN LORE

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Dr. Louis A. Warren - - - Editor

LINCOLN'S POLITICAL PARTNERSHIPS

A study of the origin and termination of Lincoln's three law partnerships at Springfield is likely to impress the observer with their political significances rather than their legal aspects. While the many local partnerships which Lincoln made with lawyers in different county seats on the circuit he travelled were formed for the primary reason of building up a clientele, the Springfield associations can be more clearly traced to political expediency. Possibly his connections with Stuart, Logan, and Herndon would be more correctly termed political partnerships.

In an autobiographical sketch written in the third person which Lincoln prepared for Scripps in 1860, he said that after the Black Hawk War, "He studied what he should do—thought of learning the blacksmith trade—thought of trying to study law—rather thought he could not succeed at that without a better education."

It was the encouragement which he received from John T. Stuart that made him decide to develop brain instead of brawn, as is set forth by Lincoln's own words as follows:

"The election of 1834 came, and he was then elected to the legislature by the highest vote cast for any candidate. Major John T. Stuart, then in full practice of the law, was also elected. During the canvass, in a private conversation he encouraged Abraham to study law. After the election he borrowed books of Stuart, took them home with him, and went at it in good earnest. He studied with nobody. He still mixed in the surveying to pay board and clothing bills. When the legislature met, the law-books were dropped, but were taken up again at the end of the session. He was re-elected again in 1836, 1838, and 1840. In the autumn of 1836, he obtained a law license, and on April 15, 1837, removed to Springfield, and commenced the practice—his old friend Stuart taking him into partnership."

John Todd Stuart

One is apt to think of John T. Stuart, senior member of the firm Stuart and Lincoln, as a much older man

than his former apprentice, but such is not the case. Stuart was born near Lexington, Kentucky, on November 10, 1807, just fifteen months before Lincoln's birthday.

Stuart's father was a Presbyterian clergyman who saw to it that his son had a college education, and he was graduated from Centre College in 1826 about the time Lincoln had completed his studies in the pioneer log cabin schools of Indiana.

There is a tendency to draw the conclusion from the superior training of Stuart, and the more distinguished family from which he came that he and Lincoln did not have much in common, but this does not appear to be so.

They were both born in Kentucky, both migrated to Illinois the same year, both were Whigs and interested in politics, both were officers in the Black Hawk War, both served in the Illinois legislature at the same time. One who observed their intimacy said that "socially and politically they seemed inseparable."

Although they had so much in common the one interest above all other which bound them together was politics. One of Stuart's biographies has said that "Stuart's predominating interest was politics." There is no question about Lincoln's chief ambition in life.

Stuart was the first of the Stuart and Lincoln combination to engage Stephen A. Douglas in a political contest, and defeated him in an exciting congressional campaign. Stuart's removal to Washington was largely responsible for the dissolution of this partnership with Lincoln. It might be said that both the beginning and end of the Stuart-Lincoln law firm was due directly to political influences.

Stuart was elected to Congress as a Democrat during Lincoln's administration and served as chairman of the Executive Committee of the National Lincoln Memorial Association organized shortly after Lincoln's death.

Stephen Trigg Logan

Lincoln's second law partner, Stephen T. Logan, was born in Franklin county, Kentucky, February 24, 1800. It will be observed that Logan was only nine years older than Lincoln. When they established their law firm in 1841, Lincoln was thirty-two and Logan, forty-one.

Lincoln already had achieved unusual success in being elected to the Illinois legislature during his early years, and this fact could not have been overlooked by Judge Logan who invited Lincoln to become associated with him. Logan had served as a commonwealth attorney in Kentucky before coming to Illinois and three years

after his arrival in Illinois was elected Judge of the first Judicial Circuit.

It must be more than a coincidence that Logan began his political career as a member of the Illinois legislature at just the time his partner Lincoln decided not to announce for another term.

There have been different reasons set forth for the culmination of this partnership, but disagreement about certain political questions may have played just as important a part as some matters of economic importance which have often been set forth as the reason for dissolution of the partnership.

As a sequel to the several political contacts of Lincoln, it is interesting to note that in 1860, Logan was a delegate at large from the state of Illinois and helped to nominate his former partner to carry the Republican banner in the national contest.

William Henry Herndon

Lincoln's third and last partner who was associated with him for twenty years was born in Kentucky on December 28, 1818, not more than twenty-five miles from where Abraham Lincoln himself was born. So all three of Lincoln's Springfield law partners were Kentuckians like himself and came by their political inheritance naturally.

Herndon admitted that during the early years of his association with Lincoln he was little more than an office clerk, and certainly his inadequate law training would not make him a valuable legal assistant to the firm of Lincoln and Herndon. He was, however, a valuable political ally and it is evidently his efficiency as a political secretary to Lincoln that was responsible for the long partnership.

His letters to Lincoln, and those he received in return, contain mostly references to political matters and very few are concerned with the law practice. We need only to read some of Herndon's own testimony to comprehend the topic which was the chief point of contact between Lincoln and Herndon, and that was politics.

During Lincoln's term as president this relationship still existed and while it is true that the Lincoln and Herndon contacts were maintained until the death of Lincoln it is not difficult to discover the main reason for this long-time partnership.

While it appears that Lincoln's two other partnerships were cut short largely because of political considerations it is likely that this third association was prolonged because of the junior partner's willingness to serve in the capacity of a political secretary for his chief.

UNFAMILIAR LINCOLN ITEMS

Compiled by HERBERT WELLS FAY, *Custodian Lincoln's Tomb*

A lot of confusion arises over Lincoln's law partnerships. The first was Stuart & Lincoln; second, Logan & Lincoln, and the third, was Lincoln & Herndon. There were many limited partnerships, as for instance at Danville the papers carried the law card, Lincoln & Lamon, but when Lincoln got his cash he would give his Springfield partner his share just the same as in cases tried at Springfield. In many counties in the circuit a similar arrangement was made. At Bloomington, Lawrence Weldon was frequently associated with Lincoln and the following is a document of a case in DeWitt county on May 13, 1856. All is in handwriting of Lincoln except the one line signed by Foudy & Metszer the opposing attorneys:

Frederick Monford ads John H. Lisk. Action on the case.

And the said defendart comes and defends the errors and inquiry when, where &c, and as to the first, third and fourth counts of the plaintiff's declaration, says plaintiff's octro non because he says he is not guilty in the manner and form as is in those counts alleged, and of this the defendant puts himself upon the country, &c.

WELDON & LINCOLN, p. d.

And the plaintiff doubts the like.

GOUDY & METSZER.

And as to the second and fifth counts of said declaration, defendant says octro non, because he says that said counts and the matter and things therein contained, in manner and form as therein stated and set forth, are not sufficient in law, nor is either of said counts or the matter and things therein contained, for the said plaintiff to have and maintain his said action and this the defendant is ready to verify, wherefore, &c.

WELDON & LINCOLN, p. d.

Paul M. Angle in his valuable pamphlet "Lincoln in the Year 1856" (page 24) lists this case as Lisk vs. Mosford, but Lincoln writes it very plainly Morford. The date of the filing of the demurrer is given by Angle as May 14, while the clerk writes on the back of the document "Filed May 13, 1856."

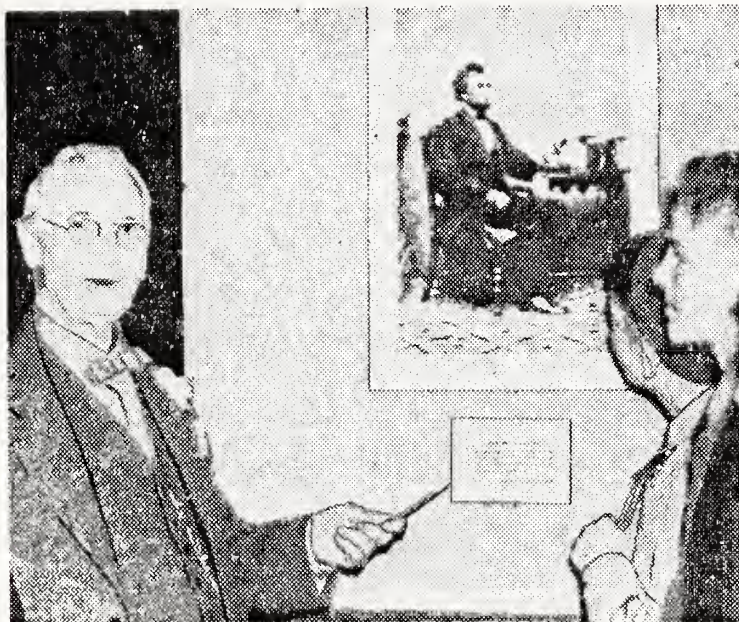
Not in Tracy, Tarbell, Hertz, Angle or Works.

SUNDAY, FEBRUARY 11, 1940

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Pupils Shown Lincoln's Picture



—News Staff Photo.

Col. C. C. Walsh, who lectured on Lincoln at the Hall of State Saturday, shows his photograph to a group of students at a Dallas Historical Society program. The photograph was presented by Dr. J. D. Karcher.

Lincoln Partner in 48 Firms At Once, School Children Told

Abraham Lincoln at one time was a partner in forty-eight law firms of the old Eighth District in Illinois, Col. C. C. Walsh told Dallas grammar school children at a Dallas Historical Society program for students at the Hall of State Saturday.

Walsh grew up within a few miles of Decatur, Macon County, where Lincoln split his first Illinois rails to fence a ten-acre field on the farm his family took up after moving in from Indiana. During his boyhood, he dove off the same rock, swam in the same swimming pool and roamed over the same countryside that Lincoln once frequented.

Walsh's parents, Dr. and Mrs. James B. Walsh, were personal friends of Lincoln, and Dr. Walsh voted for Lincoln every time he ran for office.

Far from being an obscure lawyer, Lincoln was sought after as a partner by every law firm in the district, Walsh said. He was one of a com-

pany of lawyers and judges who rode the circuit on horseback and in buggies from county seat to county seat. Eventually, he had a partner in every county seat in the district.

His popularity was due in a large measure to his ability as a storyteller, Colonel Walsh said. His sandman stories for children were as famous as the early anecdotes he swapped with courtroom associates.

"More than 3,000 biographies, ranging from one to ten volumes, have been written about Lincoln," Colonel Walsh said. "It is impossible to say how much has been written, certainly more than about any other man in history with the exception of Christ."

He closed the lecture by reciting the Gettysburg address, the two-minute speech which has become an immortal piece of American prose.

Students from the Boude Storey Junior High School presented a program of folk dances.

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THE SENIOR PARTNER

One hundred years ago in September, 1844, Abraham Lincoln became the senior partner in a new law firm which he had established, taking in as the junior partner, William H. Herndon. Up to this time he had been associated in two other partnerships, one with John T. Stuart, and another with Stephen T. Logan.

On April 15, 1837, there appeared in the columns of the *Sangamon Journal*, the following announcement:

"The partnership heretofore existing between the undersigned, has been dissolved by mutual consent.—The business will be found in the hands of John T. Stuart.

"John T. Stuart.

"Henry E. Dummer.

"April 12, 1837."

Attorney Dummer, at the time of this announcement, was a practicing lawyer in Beardstown, and it was the place made vacant by him that Abraham Lincoln was invited to occupy.

In the same issue of the *Journal* the following professional card appeared: "JOHN T. STUART and A. LINCOLN, ATTORNEYS and COUNSELLORS AT LAW, will practice conjointly in the Courts of this Judicial Circuit—Office No. 4, Hoffman's Row, up stairs. "Springfield, April 12, 1837."

Hoffman's Row consisting of six two-story brick store buildings, constructed in 1835, occupied an area on Fifth Street, beginning at the northwest corner of Washington and Fifth. The Stuart & Lincoln offices, accordingly, were located in the finest group of new buildings in the city.

One usually gets the impression, inasmuch as Stuart was addressed as major, and referred to by Lincoln as his "old friend," that he must have been much older than Lincoln, but such was not the case. Stuart was born near Lexington, Kentucky, November 10, 1807, so he was but fifteen months older than Lincoln. Both partners were born in Kentucky, both migrated to Illinois the same year, both were Whigs and interested in politics, both were officers in the Black Hawk War, both served in the Illinois legislature at the same time. One who observed their intimacy said that "socially and politically they seemed inseparable."

In the month of May, 1841, the Stuart & Lincoln partnership was dissolved and Lincoln became the junior partner in the firm of Logan & Lincoln. According to the newspaper, their office was on Fifth Street, opposite Hoffman's Row, however, the office was later moved to a building on the southwest corner of Sixth and Adams Streets. This was also a new building, having been constructed in 1841. The post office was located in it, and one of the Logan-Lincoln business cards noted their office was "over the Post-Office, third story."

Logan was also a Kentuckian, nine years Lincoln's senior, and contributed very much to Lincoln's advancement in the practice of law. Both Stuart and Logan were relatives of Mary Todd, with whom Lincoln had been keeping company up until January 1, 1841.

Into the Logan & Lincoln office there had come two young men to study law, one, David Logan, the son of the senior partner, and the other one, William Herndon, a son of one of Lincoln's closest political friends, Archer G. Herndon.

Mr. Logan in reviewing the partnership, stated: "Our law partnership continued perhaps three years. I then told him (Lincoln) that I wished to take in my son David with me who had meanwhile grown up, and Lincoln was perhaps by that time quite willing to begin on his own account. So we talked the matter over and dissolved the partnership amicably and in friendship."

With young Logan going into partnership with his father, naturally it left Lincoln and his protege, Herndon, thrown together. If it had been any other ambitious young man there at the time, probably he would have been given the same opportunity enjoyed by young Herndon.

One of Lincoln's contemporaries, Harvey L. Ross, has given this version of the forming of the Lincoln & Herndon law firm: "It was thought a little strange at that time that Mr. Lincoln would take into partnership so young and inexperienced a lawyer as Bill Herndon. But he had his reasons and I think I can come very near guessing some of them. Bill's father had been a friend to Lincoln for a great

many years and was a very influential man in Sangamon County. He had always helped Lincoln in every way and it was in payment for this kindness that Lincoln took his son in his office."

Whatever the reason may have been for the forming of the new law firm of Lincoln & Herndon, Lincoln was undoubtedly the senior partner, not only a senior in age by about ten years, but also in experience and ability, by a far more significant gap. The partnership consisted of Mr. Lincoln and "Billy." These were the names by which each addressed the other through the years, and it was so when Lincoln left for Washington in 1861.

Although the Lincoln & Herndon partnership was established in the autumn of 1844, it was not until December 9, 1844, that Herndon was admitted to the bar. The new firm secured offices in the Tinsly building, corner of Sixth and Adams Streets. It was also a new structure, so all of Lincoln's three partnerships were housed in new situations. Some new furniture was acquired for the office and the bill of goods bought to equip the room indicates it was not bare of furnishings.

At some time later, however, the firm moved to the more familiar location, a backroom in a three-story, brick building on the west side of the public square. Mr. Lincoln had business connections with several other lawyers on the Eighth Judiciary Circuit which in many respects were just as important as his Springfield partnership. It might be expected that Herndon, who remained in Springfield and cared for the office there would have the oversight of the routine matters such as keeping the office in a respectable condition. When public attention was called, in 1860, to the apparently neglected condition of the office, the criticism should have been placed where it belonged, on the shoulders of the irresponsible junior partner.

A small wooden sign had been placed at the entrance to the office bearing the inscription, Lincoln & Herndon. It remained there through President Lincoln's administration, and was replaced after his death with the sign Herndon & Zane. Charles S. Zane, who married a niece of Herndon's, then had the honor of being a partner in the once famous law firm, in which Lincoln had been "The Senior Partner."

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